

## MINUTES

COUNCIL ON RECYCLING  
OCTOBER 25, 2005  
MERCURY WASTE SOLUTIONS  
ADMINISTRATION BUILDING  
21211 DURAND AVE  
UNION GROVE, WISCONSIN

**Council Members Present:** Jeff Fielkow; Neil Peters-Michaud; John Reindl; Cecelia Stencil; William Swift; Charlotte Zieve

**Council Members Absent:** John Piotrowski.

**Also attending:** Tracy Toltzman, S.C. Johnson

**Call To Order:** The meeting was called to order by Chair John Reindl at 9:00 AM

**Introductions and Announcements:** Reindl said that Laura Krist from Jacobus has talked to legislators about used oil filters. One of her arguments is that we ban used oil from landfills steel cans and from landfills but we don't ban used oil in steel cans (oil filters) from landfills.

Reindl said that the Task Force on Waste Materials Recovery and Disposal (TF) has met three times. The TF has begun taking public testimony. One of the big issues was out-of-state waste. Zieve asked if we sent hazardous waste out-of-state. Reindl said we did but there is a difference. Wisconsin has to follow all the rules for hazardous waste but out-of-state waste can come into Wisconsin without following some of Wisconsin's recycling rules. Wisconsin can, however, treat out-of-state waste the same if there is a total ban on any material.

Other issues included the development of large landfills, landfill siting, expansion and the impact on individuals vs. the impact on the township. Zieve said that part of the issue was who was there first. We are never going to get rid of landfills, so we have to work with them. Reindl said that the DNR has adopted 'zero waste' as one of its policies. The big question is: what is waste and when does it become waste? Those are some of the conflicts the TF may deal with. Fielkow said that the TF discussions could impact recycling because the tip fees or other solutions could be implemented statewide. He said DNR did a great job in showing how landfills were sited and who had responsibility for what in Wisconsin and the surrounding states. Reindl said that part of the worry was that some states may ban a material and that material may come to Wisconsin. For example, Minnesota has banned computers and electronics. They put off their ban for a year because they were not ready with alternatives. Fielkow said it was unclear how detailed the recommendations would be when the TF is finished.

Reindl said another issue was the transfer of monies out of the recycling fund to finance other programs. Winnebago County has sent a letter to legislators opposing the transfer of funds and copied the Council. They also came out in opposition to Rep Black's proposal for a \$10 tipping fee increase because they believe that the funds will be diverted from recycling. Zieve said we should not take other state's waste if they don't follow our rules. There should be a way around the interstate commerce clause. Zieve suggested that the Council take a stand on this issue. Fielkow suggested that the Council not take a stand and that people write letters individually. Stencil agreed with Fielkow and Swift agreed with Zieve. Peters-Michaud says it depends on the impact on recycling. Reindl said he didn't think it was part of the Council's charge unless the current or proposed system discouraged recycling. Out-of-state garbage does have an impact on people's view of recycling. Fielkow suggested that if the state increases the tipping fee then all of the funding should go to the RUs and not be diverted somewhere else. In response to a question, Reindl said that about \$30 million had been diverted in the last budget. Reindl said that the state could go to an outright ban on all the currently banned materials. Zieve said that she did not want a full ban because that may cause more problems than it would solve. Reindl asked if DNR could

come to the next meeting and talk about tipping fees and bans in Wisconsin and other states and their affects on recycling.

**Minutes:** Approval of the Minutes of August 23, 2005. Cecelia Stencil moved, Bill Swift seconded. Minutes approved without amendment.

### **Reports**

**DNR:** Dan Fields, DNR, said the rule revisions took effect on July 1<sup>st</sup>. DNR has been doing training and has met with several groups including the Wisconsin Towns Association and SWANA. Sample language will also be sent to haulers on notification procedures.

Cynthia Moore, DNR, talked to the Apartment Association and discussed a pilot project with them. Sen. Miller has introduced his legislation on electronics. He has 14 co-sponsors for his bill

DNR has received a grant from EPA Region 5 for C&D Recycling- Online Reporting for Contractors. The pilot project is partnering with SHWEC and WasteCap. Cynthia Moore is the DNR contact on the project.

The recycling program has a new educator. She is Shelley Warwick and she works out of the central office in Madison. She has been working for the DNR for the last five years.

**Paper:** Reindl said that he has prepared a draft resolution on the purchase of paper recycling compatible pressure sensitive adhesive products. He said that this language was complicated and suggested that the Council read the draft and take it up at the next meeting. He said the idea is to get government to be the first in purchasing environmentally benign adhesives. Because the government is such a large purchaser, other private vendors would be expected to follow the government's lead for good business reasons. In this case, the government can move the industry by creating new standards.

Reindl talked about the different stickies that come with newspapers and showed examples from Madison newspapers. There is a wide range of contaminants. Fielkow said that each mill has a different tolerance for stickies. They can all be engineered out but some mills are not equipped to take out even the most benign stickies. He said that consumer push back is also important. If consumers say they will not shop at stores that use that type of label, companies will stop using them. Reindl suggested that the Council discuss this at the next meeting. He will try to get someone from the Department of Administration procurement to meet with us as well. Some environmental groups may be interested. He also said he will contact mills to determine the level of contamination that mills can typically handle.

**Electronics:** Zieve said that Sen. Miller has introduced his bill. The most significant feature is that industry can come up with it's own plan and be responsible for taking the electronics back. Reindl said that he was at the press conference and there was a good crowd, including a number of staffers for other legislators. So there is interest in the bill. Zieve asked if it was realistic to manufacture electronics without a number of the hazardous materials. Peters-Michaud said that it will happen because of the ROHs from Europe and California's ban. Unfortunately, substitutes have problems as well, so some problems may only be shifted. He said the bill is a brand bill and it is difficult to determine how recyclers will get paid. Zieve asked about process. Reindl suggested that the Council send a letter to the committee chairman asking for a hearing. Members agreed and Reindl will draft the letter.

Zieve said that some of the material once exported to China is now being shipped to Africa. She reiterated her position that there should be a ban on exporting harmful waste.

Fields said that a number of Midwest states are working on model legislation for a regional approach to electronics recycling. The draft is modeled after a legislation drafted by a 10 state group representing northeast states. The Midwest Initiative will have a stakeholders meeting at the EPA office in Chicago on November 18.

Peters-Michaud said that Cascade Asset Management is holding an open house and a green building seminar.

**Mercury in Products:** Reindl said that AB 721 has been introduced. It would ban free flowing mercury and mercury instruments in schools. The definition of schools includes public and private K-12 schools. It does not include colleges or technical schools. This is a popular bill across the country but this is the first time it has been introduced in Wisconsin. It does not address mercury already in schools or products or chemicals with mercury in them. Zieve suggested more public education on this issue. Swift suggested talking to school boards. Stencil said that her 10-county consortium has a collection once a year. They also have a mercury thermometer exchange program. Reindl said that once a year was typical.

Fielkow suggested that we expand this discussion to include all household hazardous waste (HHW). Fielkow said that the infrastructure needs to be upgraded. Fielkow said it does cost but there are also benefits. Stencil said that school boards know about the problem but probably won't act without legislation. Peters-Michaud asked about insurance rates. No one had information on that issue. Reindl suggested that HHW replace C&D as one of the Council priorities. Tracy Toltzman, SC Johnson, said that SC Johnson has a thermometer exchange. They do use elemental mercury in their processes because mercury is essential for some components. Some old equipment is being used that has mercury. Reindl suggested that the Council invite the bill's sponsor, DPI, DNR and Health and Family Services to a future meeting.

**Public Comment:** None.

**Other Business**

Fielkow said that Madison has switched to single stream recycling. They are achieving their short term goals. Volumes are up and there is a higher diversion rate. They are taking all grades of plastic and paper. There is a better rate of recycling in student areas with the new program. Fielkow said these are early results but they are encouraging.

The next Council meeting is scheduled for Monday, January 30, 2006 at Cascade Asset Management, 6701 Manufacturers Drive, Madison. The Council will also meet on March 3, 2006 at the AROW/SWANA/WCSWMA Winter Training Conference in Stevens Point.

**Adjournment:** Peters-Michaud moved and Fielkow seconded. The Council adjourned at 10:55 AM.

Respectfully submitted by Daniel B. Fields, Department of Natural Resources.